

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF PUERTO RICO

IN RE:

JESUS VALDES FERNANDEZ

CASE NO. 10-05919-BKT  
CHAPTER 13

DEBTOR(S)

TRUSTEE'S POSITION ON DEBTOR'S COUNSEL'S  
REQUEST FOR ATTORNEY'S FEES

TO THE HONORABLE COURT:

Comes now, Alejandro Oliveras Rivera, Chapter 13 Trustee, through the undersigned counsel and very respectfully states and prays:

1. On August 27, 2010, Att. Marilyn Valdes filed a "Motion resigning legal presentation", see docket no. 17. The same was granted by this Court on September 7, 2010.

2. On November 3, 2010, Att. Valdes filed an application for attorney's fees in the amount of \$2,600.00 for services rendered in the case, see docket no. 25.

3. Currently the Trustee holds funds in the amount of \$853.84 and has **no objection** to paying the fees requested up to the amount held after deducting \$100.00, as The Trustee's fees and expenses for the administration of the case if the case is dismissed. The 341 meeting has not been held; debtor was ordered to obtain new legal representation by October 6, 2010 and had failed to do so. Also pending before the Court is the trustee's "Motion to dismiss", see docket no. 24.

**WHEREFORE,** for the reasons stated above, it is respectfully requested from the Court to take knowledge of the above and to grant the relief it may deem just.

**NOTICE**

YOU ARE HEREBY NOTIFIED THAT YOU HAVE FOURTEEN (14) DAYS FROM THE DATE OF THIS NOTICE TO FILE AN OPPOSITION TO THE FOREGOING MOTION AND TO REQUEST A HEARING. IF NO OPPOSITION IS FILED WITHIN THE PRESCRIBED PERIOD OF TIME, THE TRUSTEE'S MOTION WILL BE DEEMED UNOPPOSED AND MAY BE GRANTED WITHOUT FURTHER HEARING UNLESS (1) THE REQUESTED RELIEF IS FORBIDDEN BY LAW; (2) THE REQUESTED RELIEF IS AGAINST PUBLIC POLICY; OR (3) IN THE OPINION OF THE COURT, THE INTEREST OF JUSTICE REQUIRES OTHERWISE. IF A TIMELY OPPOSITION IS FILED, THE COURT WILL SCHEDULE A HEARING AS A CONTESTED MATTER.

**CERTIFICATE OF SERVICE:** I hereby certify that on this same date I electronically filed the above document with the Clerk of the Court using the CM/ECF System which sent a notification of such filing to the following: [valdeslaw@prtc.net](mailto:valdeslaw@prtc.net). I further certify that I have mailed this document by First Class Mail postage prepaid debtor: Calle Paris 243 PMB 1567, San Juan, P.R. 00917.

**RESPECTFULLY SUBMITTED.**

In San Juan, Puerto Rico, this 8<sup>th</sup> day of November, 2010.

**ALEJANDRO OLIVERAS RIVERA**  
**CHAPTER 13 TRUSTEE**

P.O. Box 9024062  
San Juan, PR 00902-4062  
Tel. 977-3500 Fax 977-3521  
[aorecf@ch13sju.com](mailto:aorecf@ch13sju.com)

By: **/s/ROSAMAR GARCIA FONTAN**  
ROSAMAR GARCIA FONTAN  
Staff Attorney  
USDC-PR # 221004  
[rgarcia@ch13sju.com](mailto:rgarcia@ch13sju.com)